

REMARKS/ARGUMENTS

Claims 1-18 are pending.

Claims 1-12 are rejected

Claims 13-18 are new.

Claim 13 is added to claim a method for recording video programming using channel guide information that matches an entered in search term. Support for the searching step is found in the specification on page 4, line 13 to page 5, line 8, and in other places. Support for the recording step is found in the specification on page 5, lines 21 to 25, and in other places.

Claim 14 is added to claim that the recording step is initiated by transmitting a recording command. Support for this claim is found in the specification on page 5, line 25 to page 6, line 5, and in other places.

Claim 15 is added to claim when a video program with matching program guide information to an entered in search term is recorded. Support for this claim is found in the specification on page 5, lines 22 to 25, and in other places.

Claim 16 is added to claim that a second program may be recording using the search term. Support for this claim is supported in the specification on page 5, lines 22 to 25, page 11, line 23 to page 12, line 5, and in other places.

Claim 17 is added to claim when a video program with matching program guide information to an entered in search term is recorded. Support for this claim is found in the specification on page 5, lines 22 to 25.

Claim 18 is added to claim that an entered in search term was entered using a virtual keyboard. Support for this claim is found in the specification on page 12, line 16 to 6, and in other places.

No new matter was added to the application in view of the amendments.

Please note that the docket number of this case should be PU010001.

1. 35 U.S.C. § 103 Rejection of Claims 1-12

The Examiner rejects Claims 1-12 under 35 U.S.C. 103(a) as being anticipated by Alten al. (U.S. Patent # 6,396,546, hereafter referred to as 'Alten'). Applicant disagrees with

this ground of rejection.

Claim 1 claims "memory means for storing data representing said channel guide list and at least one e-mail address". The Examiner then cites to line 6 of the abstract, the database of Fig. 42, and col. 12, line 2 of Alten to support the proposition that the claimed memory means is disclosed in Alten. Applicant notes that the references cited to in Alten are only representative of a "program schedule database" which is conditioned to store "received program schedule information to build a database by storing the data in appropriately organized records in dynamic random access memory," (Alten, col. 8, lines 7-10). Nothing in Alten discloses nor suggests that the described system of Alten that such a memory means would or could store "at least one e-mail address".

Moreover, the Examiner in the rejection states that the claimed "sending an e-mail message to the user at the at least one e-mail address to notify said user of an availability of said television program" upon a successful conclusion of a search in Claim 1 is obvious. Applicant notes that nothing in Alten discloses or suggests the desirability of transmitting the claimed e-mail results of Claim 1, in the manner stated by the Examiner. For example, the Examiner cites to Fig. 24 in Alten as being similar to the claimed e-mail of Claim 1 indicating the availability of a television. The pay per view confirmation of Fig. 24, however, is used for a different function, where the confirmation is used to confirm whether or not a user wants to order a specific movie, in this case "Passenger 57". This pay per view confirmation is not the same thing as "sending an e-mail message to the user at the at least one e-mail address to notify said user of an availability of said television program".


Furthermore, the claim requires that the claimed e-mail of Claim 1 be sent "upon successful conclusion of said search". The search claimed in Claim 1 is a different operation than the ordering of a movie as shown in Figs. 22 and 23 of Alten, as such an operation is to purchase a viewing of a movie. Additionally, Alten does not disclose or suggest why a user would want the results of purchasing a movie would or should be transmitted as e-mail to "at least one e-mail address" in the manner suggested by the Examiner. A user would probably want to confirm the purchase of a movie at the time the movie was being purchased.

Applicant asserts that the Examiner applies hindsight analysis in view of the claimed invention to modify the Alten reference to arrive at the claimed invention, for the reasons listed above. Applicant therefore requests that the Examiner remove the rejection to Claim 1. In addition for the reasons listed above, Applicant requests that the Examiner remove the rejection to Claims 2-9 as such claims depend on Claim 1. Additionally, Applicant requests that the Examiner remove the rejection to Claims 10-12, as such claims are patentable for the reasons listed above.

In addition, Applicant requests a two-month extension to submit this response under C.F.R. 1.136(a). Please charge any fees owed in connection with this action to Deposit Account 07-0832.

It is believed that, in view of the preceding amendments and remarks, this application is in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicant's attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,


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September 8, 2004